<u>REMARKS</u>

In the November 15, 2007, Office Action, the United States Patent and Trademark Office ("Office") rejected Claims 1-54 under 35 U.S.C. § 103(a) as being unpatentable in view of the teachings of U.S. Patent No. 6,701,383 ("Wason et al."), and further in view of the teachings of U.S. Patent No. 7,171,448 ("Danielsen et al."). Without admitting to the propriety of the rejections, applicants have amended Claims 1 and 39 to bring forth what was inherent in those claims.

Applicants are unable to find, and the Office has failed to show, where the cited and applied references teach or suggest the claimed subject matter. For example, applicants are unable to find where the cited and applied references teach or suggest "a web browser for providing a timing representation to each of a plurality of media players," as recited by Claims 1 and 39, albeit in a different manner. The Office indicated that this recitation is met by Wason et al., at Col. 1, lines 29-31, which applicants represent here in full:

> Multimedia player frameworks have become widespread. Later versions of the most popular Internet browsers--Microsoft's Internet Explorer and Netscape's Communicator--include at least one player in the basic package. These are frameworks such as RealNetworks, Inc.'s RealPlayer.TM. G2 family (collectively, the "RealPlayer.TM."); Microsoft Corporation's Windows Media Technologies (NetShow.TM.); Macromedia, Inc.'s Director.TM.; Apple Computer, Inc.'s QuickTime.TM.; and Sun Microsystems, Inc.'s Java.TM. Media Framework (JMF). Most of these frameworks are extensible by means of plug-ins discussed below; some, notably JMF, are extensible by means of applications built on top of the frameworks. By being extensible we mean that a particular framework supports a set of interfaces exposed for interaction with additional software modules or components.

The above paragraph is in the Background of the Invention section of Wason et al. Thus, the convention Internet browser of this section necessarily lacks the technical solution proposed by Wason et al., namely the synchronization abstraction layer (SAL), and discussed in the

remainder of Wason et al. The Office, however, has explained as follows at page 3 of the Office Action:

> The claimed "web browser for providing a timing representation to a media player" is met by the web browser discussed in column 1, lines-29-31, which contains a plug-in media player and a SAL (synchronization Abstraction Layer) API to send timing information from the browser to the media player (discussed below).

Applicants respectfully disagree. One point of disagreement is that there is a confusion among the words "framework," plug-in," and "multimedia player." Wason et al. uses the word "framework" interchangeably with the word "multimedia player." For example, Wason et al. explains at Col. 1, line 27, that "[m]ultimedia player frameworks have become widespread." As a second example, Wason et al. explains at Col. 1, lines 32-36, that "[t]hese are frameworks such as RealNetworks, Inc.'s RealPlayer™ G2 family," and so on. As a third example, Wason et al. explains that "[m]ost of these frameworks are extensible by means of plug-ins discussed below," and so on. See Col. 1, lines 37-39. In other words, a "plug-in" is not a framework but that which may be connected with a framework to extend the framework. Wason et al. explains what his invention is about at Col. 1, lines 19-24:

> This invention relates to the field of software plug-ins for multimedia file players and for other applications supporting ordered data flow files. More precisely, this invention defines a new field of software that allows plug-ins and content to be insulated from differences in underlying platforms and frameworks.

In other words, Wason et al. has nothing to do with the Web browser but focuses entirely on frameworks and plug-ins. In contrast, applicants have explained as follows:

> [0002] Conventional Internet browsers were designed mainly as text layout engines. Such browsers, therefore, are typically very limited in the ways in which they deliver multimedia content. As broadband Internet access becomes more widely available, however, multimedia playback of content, including, but not limited to video content and audio content, will

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become an increasingly important feature that an Internet browser should provide.

[0003] Conventionally, upon encountering an embedded multimedia object, a browser merely provides a rendering area and does not stay involved with communicating timing information to a media player or passing synchronization information between a media player and other types of content. Instead, with respect to timing, the media player is essentially autonomous once it has been instantiated, and provided a rendering area, from a browser.

The multimedia player of Wason et al. remains essentially autonomous from a Web browser, as explained at Col. 2, lines 27-41:

This invention is an abstraction layer providing a uniform interface between a framework and one or more plug-ins. In the preferred embodiment, the invention is a Synchronization Abstraction Layer (SAL) abstracting time-based frameworks into a common synchronization interface. The SAL synchronizes itself and other plug-ins to a time-line of the underlying framework--and it does that independently of the underlying framework. In other words, the plug-ins interact with the underlying framework through the SAL, rather than directly. Typically, the SAL is implemented on top of the synchronization of the Application Programming Interfaces (API's) provided by the underlying frameworks. It has at least one point of coupling with the underlying framework: a method for providing the SAL with the current time.

Thus, applicants are unable to find, and the Office has failed to show, where the cited and applied references teach or suggest "a web browser for providing a timing representation to each of a plurality of media players," as recited by Claims 1 and 39, albeit in a different manner. None of the cited and applied references teaches or suggests:

a player-hosting peer within the web browser for negotiating a playback state and a rendering status between the web browser and each of the plurality of media players by exchanging, without user input, command and state change information between the web browser and each of the plurality of media players, the player-hosting peer coordinating the web browser and the plurality of media players, each having different notions of time, while displaying multiple disparate types of content that are incorporated into a single document

as recited by Claim 1 among other limitations. Applicants are unable to find where the applied and cited references teach or suggest:

> issuing commands from the web browser to each of the plurality of media players, the commands being directed to media player operations other than, and in addition to, instantiation of the plurality of media players, issuing commands including coordination command among the web browser and the plurality of media players, each having different notions of time, while displaying multiple disparate types of content that are incorporated into a single document
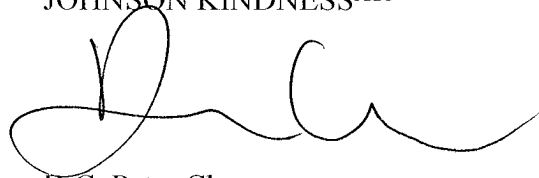
as recited by Claim 39 among other limitations.

The Office has sought to combine Wason et al. and Danielsen et al., which combination applicants specifically deny. Wason et al. has defects which are not cured by Danielsen et al. and, consequently, there is no reason to combine them. Thus, the Office has failed to state a *prima facie* case of obviousness.

Because the Office has failed to state a *prima facie* case of obviousness, the rejections should be withdrawn. Independent Claims 1 and 39 are clearly patentably distinguishable over the cited and applied references. Claims 2-38 and 40-54 are allowable because they depend from allowable independent claims and because of the additional limitations added by those claims. Consequently, reconsideration and allowance of Claims 1-54 is respectfully requested.

Respectfully submitted,

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